FEB 1 6 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF

FRANK BERENDES ET AL

SERIAL NUMBER: 10/669,424

FILED: SEPTEMBER 24, 2003

TITLE: PROCESS FOR PREPARING
3-HETEROARYL-3-HYDROXYPROPANOIC ACID DERIVATIVES

)
GROUP NO.: 1625

EXAMINER: NILOOFAR RAHMANI

)

OUT OF THE PROCESS FOR PREPARING
3-HETEROARYL-3-HYDROXYPROPANOIC ACID DERIVATIVES

)

## **AMENDMENT**

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

In response to the Office Action dated October 17, 2005, reconsideration of the above identified application is requested in view of the amendments and remarks made herein. A separate One-Month Petition for Extension of Time is concurrently submitted herewith.

Amendments to Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

demiller R. Seng: Reg. No. 45,851
Name of applicant, assigner or Registered Representative

Signature February 16, 250